

REMARKS

Applicants respectfully request reconsideration of this application as amended. Claims 1-4, 9-10, 12-13, 15, 18, 20-21, 23, 26, 29-30, 32 and 35-36 have been amended. No claims have been cancelled or added. Therefore, claims 1-38 are presented for examination. The following remarks are in response to the final Office Action mailed October 11, 2005.

Claim Objections

Amended claim 29 discloses, “stets of instructions”. There seems to be a grammatical error in the claim.

Claim 29 has been amended which obviates the objection. Applicants respectfully request the withdrawal of the objection of claim 29.

35 U.S.C. § 102 Rejection

Claims 1, 5, 12, 16, 20, 24, 29, 33 and 37 stand rejected under 35 U.S.C. §102 as being anticipated by Banerjee et al., U.S. Patent Number 6,292,181 (“Banerjee”).

Banerjee discloses a “mobile interface device *receiving input from a stylus . . .* to remotely control application programs running on a host computer. An embodiment of such an *interface device includes a pen-based graphical interface* which communicates with an operating system on the host computer. In that embodiment, the operating system on the host computer has *handwriting recognition capability*.” (Abstract; emphasis provided).

In contrast, claim 1, in pertinent part, recites “[a] portable electronic device comprising: a wireless communication module to communicate with an access device; a switch to select a remote electronic device from the plurality of remote electronic devices

for the portable electronic device to emulate; and a controller to . . . emulate the selected remote electronic device, wherein the emulating comprises the portable electronic device possessing functionality of the selected remote electronic device.” (emphasis provided).

Applicants submit that Banerjee does not teach or reasonably suggest the above recited features. First, Banerjee discloses a mobile interface device communicating with a host computer (Abstract); however, Banerjee fails to communicate with both an access device and a selected remote electronic device, as recited by claim 1.

Second, remotely controlling application programs running on a host computer by mobile interface device is not the same as a portable electronic device emulating a selected remote electronic device by possessing functionality of the selected remote electronic device, as recited by claim 1. Stated differently, controlling an application is not emulation, and at best is merely controlling a subset of the functionality of the host system, as opposed to possessing functionality of the selected remote electronic device, as recited by claim 1.

Third, nowhere does Banerjee teach or reasonably suggest “a switch to select a remote electronic device from the plurality of remote electronic devices for the portable electronic device to emulate” as recited by claim 1. (emphasis provided). Accordingly, for at least the reasons stated above, Applicants respectfully request that the rejection of claim 1 and its dependent claims be withdrawn.

Claims 12, 20 and 29 contain limitations similar to those of claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 12, 20 and 29 and their dependent claims.

35 U.S.C. § 103(a) Rejection

Claims 2-4, 13-15, 21-23 and 30-32 stand rejected under 35 U.S.C. §103(a) as being unpatentable in view of Banerjee in view of Min Zhu et al., U.S. Patent No. 6,654,032 (“Zhu”), further in view of Patwari, U.S. Application No. 2002/0087300 (“Patwari”).

Claims 2-4, 13-15, 21-23 and 30-32 depend from one of claims 1, 12, 20 and 29 and thus include all the limitations of their base claim. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 2-4, 13-15, 21-23 and 30-32.

Claims 6, 11, 17, 25, 28, 34 and 38 stand rejected under 35 U.S.C. §103(a) as being unpatentable in view of Banerjee in view of Cheng U.S. Application No. 09/742,278 (“Cheng”).

Claims 6, 11, 17, 25, 28, 34 and 38 depend from one of claims 1, 12, 20 and 29 and thus include all the limitations of their base claim. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 6, 11, 17, 25, 28, 34 and 38.

Claims 7-9, 18, 19, 26 and 35 stand rejected under 35 U.S.C. §103(a) as being unpatentable in view of Banerjee in view of winamp.com, Winamp 2.05, Nov 15, 1998 (“Winamp”).

Claims 7-9, 18, 19, 26 and 35 depend from one of claims 1, 12, 20 and 29 and thus include all the limitations of their base claim. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 7-9, 18, 19, 26 and 35.

Claims 10, 27 and 36 stand rejected under 35 U.S.C. §103(a) as being unpatentable in view of Banerjee in view of Winamp, further in view of Ludtke et al., U.S. Patent No. 6,233,611 ("Ludtke").

Claims 10, 27 and 36 depend from one of claims 1, 20 and 29 and thus include all the limitations of their base claim. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 10, 27 and 36.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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